

**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed October 27, 2003. Claims 1-24 are pending in the application. Claims 1-24 stand rejected. Applicants have amended Claims 1, 8, 15, and 22. Applicants submit that no new matter has been added with these amendments. Applicants respectfully request reconsideration and favorable action in this case.

**Section 103 Rejection**

The Examiner rejects Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,796,952 issued to Davis, et al. (hereinafter "*Davis*"), in view of U.S. Patent No. 6,546,443 to Kakivaya, et al. (hereinafter "*Kakivaya*"). Applicants respectfully traverse this rejection.

Amended Independent Claim 1 recites, "artificially incrementing a reference count associated with the client program to maintain persistence of the client program in the operating environment during browsing by the visitor across a plurality of Web pages of the Web site." The Office Action offers the "AddRef( )" of *Kakivaya* for the teaching of this limitation;<sup>1</sup> however, Applicants respectfully submit that *Kakivaya* does not teach or suggest artificially incrementing a reference count as claimed. In particular, the offered "AddRef( )" function merely maintains "a count of client programs holding a reference (e.g., an interface pointer) to the COM object." Col. 8, Lines 48-50. Thus, the COM object will be unloaded if no client programs hold a reference to the COM object, which does not "maintain persistence of the client program in the operating environment during browsing by the visitor across a plurality of Web pages of the Web site" as claimed. Accordingly, the Applicants respectfully request allowance of Independent Claim 1 and its respective dependents Claims 2-7. Claims 8, 15, and 22 and their respective dependents Claims 9-14, 16-21, and 23-24 are allowable for analogous reasons.

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<sup>1</sup> Office Action, Page 3.

**CONCLUSION**

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all the pending claims.

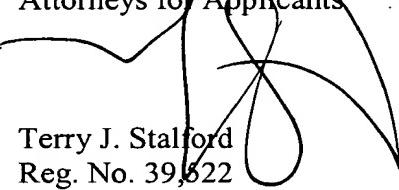
If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

Although Applicant believes no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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